

ESTTA Tracking number: **ESTTA495254**

Filing date: **09/19/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200643
Party	Defendant Nowlan Family Trust
Correspondence Address	JOHN J OMALLEY VOLPE AND KOENIG PC 30 S 17TH STREET, UNITED PLAZA PHILADELPHIA, PA 19103 UNITED STATES jomalley@vklaw.com
Submission	Other Motions/Papers
Filer's Name	John J. O'Malley
Filer's e-mail	JOMalley@vklaw.com, ktinker@vklaw.com, trademarks@vklaw.com
Signature	/John J. O'Malley/
Date	09/19/2012
Attachments	TTAB Status Request.pdf (2 pages)(67312 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Trademark Opposition of:

Mark: BUCK ROGERS
Appln. No. 77/650082
Filed: January 15, 2009
Published: June 14, 2011

Opposition No.: 91200643

Date: September 19, 2012

Dille Family Trust,
Opposer

v.

Nowlan Family Trust,
Applicant.

REQUEST FOR STATUS OF PROCEEDINGS

Applicant, Nowlan Family Trust by and through its undersigned attorney requests an update on the status of Plaintiff's Motion to Compel Discovery.

On June 13, 2012, Plaintiff filed a "Motion to Compel Initial Disclosures." In accordance with TTAB procedure, the Board suspended these proceedings pending the outcome of said motion on June 15, 2012.

On July 3, 2012, Applicant timely filed their response to Plaintiff's Motion to Compel Discovery.

On August 8, 2012, Opposer filed an Affidavit in Support of Motion to Compel Initial Disclosures.

* * *
Certificate of Service and Mailing

I hereby certify that this correspondence is being filed online via ESTTA to: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451, on September 19, 2012.

I further certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to Vincent G. LoTempio, Kloss, Stenger & LoTempio, 69 Delaware Avenue, Suite 1002, Buffalo, NY 14202, on September 19, 2012.

9/19/12

Date of Signature
2068302-1

John J. O'Malley

On August 10, 2012, Applicant filed a Motion to Strike the improper "Affidavit." A response to the Motion to Strike was due by August 30, 2012. To date no response has been filed.

Opposer's Motion to Compel Discovery is ripe for consideration. All briefing papers have been submitted to the board.

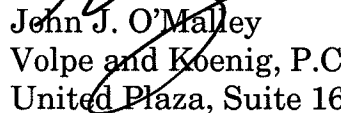
Applicant respectfully requests the Board issue a decision on Opposer's Motion to Compel Discovery and reset the discovery and trial dates for this matter.

Respectfully submitted,

Nowlan Family Trust,

Date: September 19, 2012

By


Jenn J. O'Malley
Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103
(215) 568-6400
jomalley@vklaw.com

Attorney for Applicant